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WEST VALLEY STAFFING GROUP

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

DEMETRIC DI-AZ, OWEN DIAZ and LAMAR  
PATTERSON, an individual

Plaintiff,

vs.

TESLA, INC. DBA TESLA MOTORS, INC.;  
CITISTAFF SOLUTIONS, INC.; WEST VALLEY  
STAFFING GROUP; CHARTWELL STAFFING  
SERVICES, INC. and DOES 1-10, inclusive,

Defendants.

CASE NO.: 3:17-cv-06748-WHO

**STIPULATION AND [PROPOSED] ORDER  
ALLOWING PLAINTIFFS TO FILE AN  
AMENDED COMPLAINT TO ADD NEW  
PARTY NEXTSOURCE, INC. AS A  
DEFENDANT; AND TO CONTINUE TRIAL  
DATE FROM MAY 13, 2019 TO OCTOBER  
28, 2019, AND TRIAL-RELATED  
DEADLINES**

[Assigned to Hon. William H. Orrick]

Complaint File: October 16, 2017

Trial Date: May 13, 2019

**STIPULATION AND [PROPOSED] ORDER ALLOWING PLAINTIFFS TO FILE AN  
AMENDED COMPLAINT; TO CONTINUE TRIAL DATE AND RELATED DEADLINES**

**STIPULATION**

Plaintiffs Demetric Di-az and Owen Diaz (collectively “Plaintiffs”), Defendant Tesla, Inc. dba Tesla Motors, Inc. (“Tesla”), Defendant CitiStaff Solutions, Inc. (“CitiStaff”) and Defendant West Valley Staffing Group (“West Valley”) (collectively the “Parties”) hereby stipulate as follows:

**WHEREAS**, on June 11, 2018 the Parties attended a court mandated mediation that did not result in a settlement;

**WHEREAS**, on October 16, 2018, the Parties attended a private mediation that did not result in a settlement;

**WHEREAS**, the parties agreed to conduct limited discovery prior to attending the June 11, 2018 court mandated mediation, and conducted limited discovery prior to the October 16, 2018 private mediation;

**Leave to Amend Complaint**

**WHEREAS**, Plaintiffs took the deposition of Monica DeLeon, a former Citistaff employee, on December 6, 2018;

**WHEREAS**, Plaintiffs seek to add nextSource, Inc. as a Defendant in this action based on new information obtained from Ms. DeLeon during her deposition;

**WHEREAS**, Plaintiffs have not previously amended their Complaint in this matter;

**WHEREAS**, Plaintiffs agree to file the attached Amended Complaint adding nextSource, Inc. as a Defendant in this matter on or before December 28, 2018 (See Amended Complaint for Damages attached as Exhibit 1);

**NOW THEREFORE**, the Parties, by and through their respective counsel, hereby stipulate and agree, and respectfully request, that the Court issue an order granting Plaintiffs leave to file the attached Amended Complaint effective December 28, 2018;

**Continuing Trial and Pre-Trial Deadlines**

**WHEREAS**, trial in this matter is set for May 13, 2019;

**WHEREAS**, the current pre-trial schedule in this matter is as follows:

- January 11, 2019: Fact discovery cutoff; expert disclosures due
- February 14, 2019: Dispositive motion hearing deadline

STIPULATION AND [PROPOSED] ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED COMPLAINT; TO CONTINUE TRIAL DATE AND RELATED DEADLINES

- February 18, 2019: Rebuttal expert disclosures due
- February 25, 2019: Expert discovery cutoff

**WHEREAS**, the Parties have not previously requested any continuances in this case and the Court has not previously continued any dates in this case;

**NOW THEREFORE**, the Parties, by and through their respective counsel, hereby stipulate and agree, and respectfully request, that the Court issue an order continuing the trial to October 28, 2019, and continuing the Pre-Trial Conference to October 1, 2019, and the pre-trial discovery and dispositive motion deadlines as follows:

- June 28, 2019: Fact discovery cutoff; expert disclosures due
- July 26, 2019: Dispositive motion hearing deadline
- July 31, 2019: Rebuttal expert disclosures due
- August 7, 2019: Expert discovery cutoff
- October 1, 2019: Pre-Trial Conference

**IT IS SO STIPULATED.**

DATED: December 14, 2018

**CALIFORNIA CIVIL RIGHTS LAW GROUP**

By: /s/ Navruz Avloni  
Lawrence A. Organ  
Navruz Avloni  
Attorneys for Plaintiffs  
DEMETRIC DI-AZ and OWEN DIAZ

DATED: December 14, 2018

**PAHL & MCCAY**

By: /s/ Helene Simvoulakos-Panos  
Fenn C. Horton III  
Helene Simvoulakos-Panos  
Attorneys for Defendant  
WEST VALLEY STAFFING GROUP

STIPULATION AND [PROPOSED] ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED COMPLAINT; AND TO CONTINUE TRIAL DATE FROM MAY 13, 2019 TO OCTOBER 28, 2019, AND TRIAL-RELATED DEADLINES

1 DATED: December 14, 2018

CONSTANGY, BROOKS, SMITH & PROPHETE, LLP

2 By: /s/ Barbara Antonucci

3 Barbara Antonucci

4 Attorneys for Defendant

TESLA INC. DBA TESLA MOTORS, INC.

5 DATED: December 14, 2018

CONSTANGY, BROOKS, SMITH & PROPHETE, LLP

6 By: /s/ Barbara Antonucci

7 Barbara Antonucci

8 Attorneys for Defendant

9 CITISTAFF SOLUTIONS, INC.

10 **[PROPOSED] ORDER**

11 Based upon the foregoing Stipulation, and for good cause appearing thereon, the Court orders  
12 as follows:

- 13 1. Plaintiffs may file the Amended Complaint for Damages adding nextSource, Inc. as a  
14 party to this action, as attached in Exhibit 1 of the Stipulation, on or before December 28,  
15 2018;
- 16 2. The trial in this case is continued to October 28, 2019;
- 17 3. The Pre-Trial Conference is continued to October 1, 2019;
- 18 4. The pre-trial deadlines in this case are continued as follows:
- 19 • June 28, 2019: Fact discovery cutoff; expert disclosures due
  - 20 • July 26, 2019: Dispositive motion hearing deadline
  - 21 • July 31, 2019: Rebuttal expert disclosures due
  - 22 • August 7, 2019: Expert discovery cutoff.

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24  
25 DATED: \_\_\_\_\_

26 Hon. William H. Orrick

27  
28 STIPULATION AND [PROPOSED] ORDER ALLOWING PLAINTIFFS TO FILE AN  
AMENDED COMPLAINT; AND TO CONTINUE TRIAL DATE FROM MAY 13, 2019 TO  
OCTOBER 28, 2019, AND TRIAL-RELATED DEADLINES